

**PLAINTIFF’S RESPONSE IN OPPOSITION TO
DEFENDANTS’ MOTION FOR CONTINUANCE**

Pulliam v. County of Fort Bend, Texas, et al.

Case No. 4:22-cv-4210

EXHIBIT 1

From: Christie Hebert

Sent: Tuesday, November 26, 2024 2:04 PM

To: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>; CM4147@txs.uscourts.gov

Cc: Jeff Rowes <jrowes@ij.org>; Kendall Morton <kmorton@ij.org>; Jared McClain <jmcclain@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>

Subject: RE: Civil Action No. 4:22-cv-04210; Pulliam v. Fort Bend County, et al status conference

Ms. Picota and counsel,

Happy Thanksgiving week.

If no attorney from the Fort Bend County Attorney's Office is able to attend the December 5th status conference, Plaintiff respectfully asks that the Court to either (1) set this case for trial in 2025, preferably after March 2025, or (2) reschedule the December 5th status conference for the soonest possible date given the delay in moving this case to trial.

Trial in this case was set for June 2024 but was stayed (Dkt. Nos. 72, 73). A status conference was initially set for November 1, 2024, presumably to identify a trial date, but that status conference was cancelled (Dkt. No. 83). The court later rescheduled the status conference for December 5th (Dkt. No. 84). As the below email chain indicates, Plaintiff and his counsel are available for trial from March 2025 forward with a preference for trial in the March-May window. Defendants' counsel has indicated that he is available, but Defendants have not provided their availability.

Thank you,
Christie Hebert

From: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>

Sent: Tuesday, November 26, 2024 10:19 AM

To: CM4147@txs.uscourts.gov; Christie Hebert <chebert@ij.org>

Cc: Jeff Rowes <jrowes@ij.org>; Kendall Morton <kmorton@ij.org>; Jared McClain <jmcclain@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>

Subject: Civil Action No. 4:22-cv-04210; Pulliam v. Fort Bend County, et al status conference

Ms. Picota and Counsel,

I will be in France on December 5th, meeting my wife and son. I understand from talking to my wife this morning that the phone and internet connections on our plan are not as robust as advertised. Could we please reschedule the Status Conference to a date the next week or later? I will return to the office on December 10th, so that date or any later date would work better for me.

Thank you, and Happy Thanksgiving.

Kevin Hedges

From: Christie Hebert <chebert@ij.org>
Sent: Friday, November 15, 2024 10:42 AM
To: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>
Cc: Jeff Rowes <jrowes@ij.org>; Kendall Morton <kmorton@ij.org>; Jared McClain <jmcclain@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>
Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

Thanks, Kevin.

From: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>
Sent: Friday, November 15, 2024 10:35 AM
To: Christie Hebert <chebert@ij.org>
Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

Hi Christie. I don't have dates from the Sheriff. The March through May timeframe works for me though.

Have a good weekend.

Kevin

From: Christie Hebert <chebert@ij.org>
Sent: Friday, November 15, 2024 10:30 AM
To: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>
Cc: Jeff Rowes <jrowes@ij.org>; Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>
Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

Hi Kevin,

Happy Friday.

I'm following up: Do Defendants have a position on trial availability? We're planning to file something and will do so just for Justin if we don't hear from you. As a reminder, we plan to indicate to the Court a preference for trial to occur in the period of March through May 2025.

Thanks,
Christie

From: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>

Sent: Friday, November 8, 2024 10:43 AM

To: Christie Hebert <chebert@ij.org>

Cc: Jeff Rowes <jrowes@ij.org>; Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytx.gov>

Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

I haven't yet. Let me plan to give you an update on Wednesday (Monday is a Holiday).

From: Christie Hebert <chebert@ij.org>

Sent: Friday, November 8, 2024 10:41 AM

To: Hedges, Kevin <Kevin.Hedges@fortbendcountytx.gov>

Cc: Jeff Rowes <jrowes@ij.org>; Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytx.gov>

Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

Hi Kevin,

I hope your Friday is going well.

I'm following up on our conversation from last week. Did you get a chance to speak to the Sheriff about scheduling trial? We'd like to file an advisory with the Court early next week if possible.

Thanks,
Christie

From: Hedges, Kevin <Kevin.Hedges@fortbendcountytx.gov>

Sent: Tuesday, October 29, 2024 1:50 PM

To: Christie Hebert <chebert@ij.org>

Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

Perfect

From: Christie Hebert <chebert@ij.org>

Sent: Tuesday, October 29, 2024 11:17 AM

To: Hedges, Kevin <Kevin.Hedges@fortbendcountytx.gov>; Jeff Rowes <jrowes@ij.org>

Cc: Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytx.gov>

Subject: Re: Pulliam v. Fort Bend County, Call on October 30th?

Thanks, Kevin. How about 3 pm CT tomorrow? I can set up a Zoom, or Jeff and I can call you.

From: Hedges, Kevin <Kevin.Hedges@fortbendcountytx.gov>

Sent: Monday, October 28, 2024 2:16:37 PM

To: Jeff Rowes <jrowes@ij.org>; Christie Hebert <chebert@ij.org>

Cc: Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>

Subject: Re: Pulliam v. Fort Bend County, Call on October 30th?

Yes. I can be available tomorrow afternoon, any time Wednesday, or Thursday afternoon

From: Jeff Rowses <jrowses@ij.org>

Sent: Monday, October 28, 2024 1:33 PM

To: Christie Hebert <chebert@ij.org>; Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>

Cc: Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>

Subject: RE: Pulliam v. Fort Bend County, Call on October 30th?

Hi Kevin,

Just following up on this to see if you want to touch base this week about possible trial dates and logistics so we can make Friday's hearing with the judge as productive as possible.

Best,

Jeff

From: Christie Hebert <chebert@ij.org>

Sent: Wednesday, October 16, 2024 10:23 AM

To: Hedges, Kevin <Kevin.Hedges@fortbendcountytexas.gov>

Cc: Jeff Rowses <jrowses@ij.org>; Jared McClain <jmcclain@ij.org>; Kendall Morton <kmorton@ij.org>; Svatek, Amy <Amy.Svatek@fortbendcountytexas.gov>

Subject: Pulliam v. Fort Bend County, Call on October 30th?

Hi Kevin,

It's been a minute. I hope that you and your family are doing ok.

Judge Hanks set *Pulliam v. Fort Bend County* for a status conference on November 1st. We think it makes sense to touch base before the status conference to discuss outstanding issues like availability for trial and a timeline for preparation. Are you available for a Zoom call on October 30th or October 31st?

Our team has a couple of things on the calendar, but I am sure we can find a time that works. Once we find a time, I'll share the Zoom information.

Thanks,
Christie